



**SCOTTSDALE BOARD OF ADJUSTMENT
CITY HALL KIVA
3939 N. DRINKWATER BLVD.
SCOTTSDALE, ARIZONA**

WEDNESDAY, JANUARY 5, 2011

REGULAR MEETING MINUTES

PRESENT: Patrick Davis, Chair
Monica Lindstrom, Vice Chair
Terry Mika, Board Member
Michael De Nitto, Board Member
Geoffrey Kercksmar, Board Member
Robert Lemarr, Board Member
Jim Tomlinson, Board Member

STAFF: Louisa Garbo
Sherry Scott
Ben Moriarity

CALL TO ORDER

Chair Davis called the meeting of the Scottsdale Board of Adjustment to order at 6:06 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

ADMINISTRATIVE BUSINESS

1. Election of Officers

**BOARD MEMBER MIKA MOVED TO APPROVE BOARD MEMBER DAVIS TO CHAIR
AND BOARD MEMBER LINDSTROM TO VICE CHAIR; SECONDED BY BOARD
MEMBER DE NITTO. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN
(7) TO ZERO (0)**

2. Consideration and possible approval of 2011 Board of Adjustment Public Hearing Calendar

BOARD MEMBER KERCSMAR MOVED TO APPROVE THE 2011 BOARD OF ADJUSTMENT PUBLIC HEARING CALENDAR AS AMENDED TO NOTE STUDY SESSIONS AS OPTIONAL AND TO BE HELD IF NOTICED; SECONDED BY BOARD MEMBER MIKA. MOTION CARRIED WITH A VOTE OF FOUR (4) TO THREE (3). CHAIR DAVIS, BOARD MEMBER DE NITTO, AND BOARD MEMBER LAMARR DISSENTING

3. Ethics Training

The City of Scottsdale Ethics Program and Code of Ethical Behavior (adopted by the City Council on May 2, 2006) requires all Public Officials be provided with annual ethics training. The City Attorney's Office will provide an annual ethics training workshop to the Board of Adjustment and will be available to answer any questions.

PRESENTATION BY SHERRY SCOTT, CITY ATTORNEY'S OFFICE

4. Consideration and possible approval of 2010 Board of Adjustment Annual Report

BOARD MEMBER MIKA MOVED TO APPROVE THE 2010 BOARD OF ADJUSTMENT ANNUAL REPORT; SECONDED BY BOARD MEMBER KERCSMAR. MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0)

5. Consideration and possible approval of the Rules of Procedure for the Board of Adjustment

BOARD MEMBER KERCSMAR PROPOSED CHANGES TO SECTION 201 OF THE RULES OF PROCEDURE AS FOLLOWS:

201. Regular Meetings

Regular meetings of the Board shall be held in the City Hall Kiva (Council Chambers) or other location as designated by the Chair, on the first Wednesday of each month at 6:00 p.m. with **AN OPTIONAL** study sessions beginning at ~~5:00~~ **5:30** p.m. or ~~5:30~~ **5:45** p.m. prior to the regularly scheduled meeting. **STUDY SESSION SHALL BE CALLED BY ANY MEMBER OF THE BOARD, NOT LESS THAN FORTY-EIGHT (48) HOURS PRIOR TO A REGULAR SCHEDULED MEETING.** All meetings of the Board of Adjustment, except an executive session called and noticed pursuant to state statute, shall be open to the public. Interested parties are invited to observe study sessions; no formal voting will occur at a study session. Any action calling for a formal vote shall take place only at a public meeting.

VICE CHAIR LINDSTROM PROPOSED CHANGES TO SECTION 201 OF THE RULES OF PROCEDURE AS FOLLOWS:

201. Regular Meetings

Regular meetings of the Board shall be held in the City Hall Kiva (Council Chambers) or other location as designated by the Chair, on the first Wednesday of each month at 6:00 p.m. with **AN OPTIONAL** study sessions beginning at ~~5:00 p.m. or 5:30~~ **5:45** p.m. prior to the regularly scheduled meeting. All meetings of the Board of Adjustment, except an executive session called and noticed pursuant to state statute, shall be open to the public. Interested parties are invited to observe study sessions; no formal voting will occur at a study session. Any action calling for a formal vote shall take place only at a public meeting.

* Note: These are summary action minutes only. A complete copy of the meeting audio/video is available on the Board of Adjustment website at:
http://scottsdale.granicus.com/ViewPublisher.php?view_id=61

BOARD MEMBER TOMLINSON PROPOSED CHANGES TO SECTION 201 OF THE RULES OF PROCEDURE AS FOLLOWS:

201. Regular Meetings

Regular meetings of the Board shall be held in the City Hall Kiva (Council Chambers) or other location as designated by the Chair, on the first Wednesday of each month at 6:00 p.m. with **AN OPTIONAL** study sessions beginning ~~at~~ **BETWEEN 5:00 5:30 p.m. or AND 5:30 6:00 p.m.** prior to the regularly scheduled meeting. All meetings of the Board of Adjustment, except an executive session called and noticed pursuant to state statute, shall be open to the public. Interested parties are invited to observe study sessions; no formal voting will occur at a study session. Any action calling for a formal vote shall take place only at a public meeting.

PROPOSED CHANGES TO THE RULES OF PROCEDURE TO BE CONSIDERED AT THE NEXT SCHEDULED MEETING PER SECTION 601 OF THE RULES OF PROCEDURE

BOARD MEMBER KERCSMAR MOVED TO APPROVE THE RULES OF PROCEDURE FOR THE BOARD OF ADJUSTMENT; SECONDED BY BOARD MEMBER LAMARR. THE MOTION WAS APPROVED WITH A VOTE OF SEVEN (7) TO ZERO (0).

MINUTES

6. Approval of October 6, 2010 Regular Meeting Minutes.

BOARD MEMBER MIKA MOVED TO APPROVE THE OCTOBER 6, 2010 BOARD OF ADJUSTMENT MINUTES; SECONDED BY VICE CHAIR LINDSTROM. THE MOTION WAS APPROVED WITH A VOTE OF SEVEN (7) TO ZERO (0).

NON-ACTION

7. Update and Discussion of the Draft General Plan 2011

PRESENTATION JOANIE CADY, ADVANCE PLANNING

ADJOURNMENT

BOARD MEMBER MIKA MOVED TO ADJOURN; SECONDED BY BOARD MEMBER LAMARR. THE MOTION WAS APPROVED WITH A VOTE OF SEVEN (7) TO ZERO (0).

With no further business to discuss, the study session of the Board of Adjustment adjourned at 6:57 p.m.

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